

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF NEW YORK

CHILI EXPRESS, INC.,

Plaintiff,

-against-

ATLANTIC CASUALTY INSURANCE CO.,

Defendant.

**STIPULATION OF VOLUNTARY  
DISMISSAL PURSUANT TO  
F.R.C.P. 41(a)(1)(A)(ii)**

Case No.: 16-6607

IT IS HEREBY STIPULATED AND AGREED, by and between undersigned counsel for  
all parties, that:

1. Atlantic Casualty Insurance Company ("Atlantic Casualty") effectively rescinded the Atlantic Casualty policies at issue, i.e. policy numbers M035001186 and M035001467, *ab initio*, and therefore this action is no longer necessary,
2. In light of the above, all claims herein are dismissed with prejudiced as against all parties.
3. Electronically transmitted signatures shall be deemed originals for all purposes.

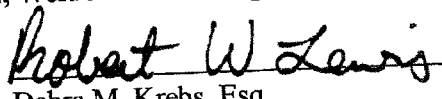
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**SO ORDERED**

  
CHARLES J. SIRAGUSA

U.S. District Judge

DATE 10-31-16